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August 31, 2022

Via E-Filing

The Honorable Anita B. Brody
United States District Court
Eastern District of Pennsylvania
U.S. Courthouse, Independence Mall West
601 Market Street
Philadelphia, PA 19106-1797

Re: *Dianne Cochran v. ULTA Salon, Cosmetics & Fragrance, Inc. (improperly identified as ULTA Beauty, Inc. and ULTA Beauty) & Erica S. Harrell*
USDC Eastern District of PA – Civil Action No. 20-4997

Dear Judge Brody:

Please be advised that we are writing on behalf of Defendant, ULTA Salon, Cosmetics, and Fragrance, Inc. (“Ultra”), in the above captioned matter. An arbitration is scheduled for September 15, 2022.

At this time, the parties collectively respectfully request a continuance of the Arbitration Hearing. The depositions of Plaintiff and defense witness, Erica Harrell, were taken this summer. Plaintiff also underwent spinal surgery recently for her alleged injuries, and is still recovering from the surgery, and treating for those injuries. Defendants have therefore been unable to have her examined. During Plaintiff’s deposition, additional information not known to either party previously was revealed, that requires further investigation.

Additionally, Plaintiff’s workers’ compensation case, filed in connection with the alleged accident that forms the basis of the instant litigation, is still active, and pending at this time. In light of the foregoing, both counsel involved in this matter agree that conducting the arbitration as scheduled is unlikely to resolve this matter, is likely to result in an appeal by Plaintiff, and is likely not to be an effective use of the Court’s time.

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We therefore request a continuance of the arbitration in order to allow Plaintiff to recover from her recent surgery, undergo an examination by the defense, and to complete discovery on the issues that arose during the depositions of the parties this summer.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Sarah M. Baker", written in a cursive style.

SARAH M. BAKER

cc: Todd M. Sailer, Esquire (*Via ECF*)